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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David G. Way
Serial No.: 09/633,005
Filing Date: August 4, 2000
Group Art Unit: 2733
Title: TRANSPORT SYSTEM WITH TUNABLE CHANNEL
SPACING DWDM

#7
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Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

Dear Sir:

I hereby certify that this
correspondence is being deposited
with the United States Postal Service
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Willie J. Lee
Name

June 14, 2001
Date of Signature

Express Mail No. EL 501001482 US

INFORMATION DISCLOSURE STATEMENT

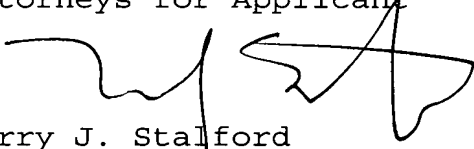
Applicant respectfully requests, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. A copy of these references are enclosed for the convenience of the Examiner. Furthermore, pursuant to 37 C.F.R. § 1.97(h), no representation is made that these references qualify as prior art or that these references are material to the patentability of the present application.

Applicant respectfully submits that the claims of Applicant's above-referenced patent application are patentably distinguishable from these references.

Pursuant to 37 C.F.R. § 1.97(b), Applicant believes that this Information Disclosure Statement has been filed before the mailing date of a first Office Action in this case. Therefore, Applicant believes that no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
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